

New England Police Benevolent Association and Town of Henniker, Decision No. 2011-113
(Case No. G-0156-1).

The Union filed a Written Majority Authorization petition seeking to represent certain employees of the Police Department. The Town objected claiming, among other things, that the proposed bargaining unit did not contain a minimum of ten employees as required under RSA 273-A:8, I and that the part-time Patrol Officers were irregular or on call employees and, therefore, should be excluded from the unit under RSA 273-A:1, IX (d).

The position of part-time Patrol Officer was excluded from the proposed bargaining unit as it was found to be an irregular position within the meaning of RSA 273-A:1, IX (d). Because after the exclusion of the part-time Patrol Officers the proposed bargaining unit did not contain a minimum of ten employees required under RSA 273-A:8, I, the petition for certification was denied.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.